

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jeffrey L. Pursley, Director of	)	Application No.911-020.01
the Nebraska Telecommunications	)	
Infrastructure and Public Safety	)	
Department of the Nebraska	)	
Public Service Commission,	)	
	)	
Complainant,	)	ORDER TO DISMISS IN PART
v.	)	
	)	
Level 3 Communications, LLC;	)	
Vartec Telecom, Inc.; NebCon	)	
Partnership; Budget Phone, Inc.;	)	
CAT Communications Inter-	)	
national; Granite Telecommuni-	)	
cations, LLC; Comtel Telecom	)	
Assets, LP;	)	
	)	
Respondent(s).	)	Filed: October 10, 2007

BY THE COMMISSION:

On July 3, 2007, Jeff Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (Complainant), filed a complaint in this docket alleging a violation of Neb. Rev. Stat. § 86-437. Complainant alleged Respondents failed to timely file with the Commission annual reporting information as required by § 86-437(2) by April 30, 2007. Complainant sought an order assessing administrative fines and ordering Respondents to comply with the reporting requirements.

Respondent has signed a stipulation with the Complainant wherein Respondent has agreed to pay an administrative fine and costs to dismiss the departmental complaint. Additionally, Respondent has submitted the required report in compliance with Commission requirements. The Commission finds that the signed stipulation is satisfactory and therefore the Respondent should be dismissed from the complaint.

Respondent should be aware that this Commission will not tolerate similar behavior in 2008 regarding the filing of the 2007 report. If reports are not postmarked on or before April 30th, the option of resolving the complaint through a stipulation will be closely scrutinized. Failing to file in a timely fashion may lead to additional fines.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Level 3 Communications, LLC be, and hereby is, dismissed from the complaint.

MADE AND ENTERED at Lincoln, Nebraska this 10<sup>th</sup> day of October, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director